

No 1

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AUG 12 2009

Form to be used by a prisoner filing a civil rights complaint under
THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983TONY B. M. ...
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT, LOUISIANAUNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANARuffin Stokes

Full Name of Plaintiff, Prisoner Number.

6:09cv1451 Sec P

DA - MR. BOFILL DUHE

DA - MR. PHILLIP HANEY

vs. SHERIFF LOUISACKAL

WARDEN MR. FRANK ELLIS

MS. OFFICER EVELYN BASHAY

Defendant

~~MS. OFFICER EVELYN BASHAY~~
~~WARDEN MR. FRANK ELLIS~~
~~SHERIFF LOUISACKAL~~

COMPLAINT

I. Previous Lawsuits

A. Have you begun any other lawsuit while incarcerated or detained in any facility?

Yes ☐No ☒

B. If your answer to the preceding question is yes, provide the following information.

1. State the court(s) where each lawsuit was filed (if federal, identify the District; if state court, identify the county or parish):

2. Name the parties to the previous lawsuit(s):

Plaintiffs:

Defendants:

3. Docket number(s):

4. Date(s) on which each lawsuit was filed:

5. Disposition and date thereof [For example, was the case dismissed and when? Was it appealed and by whom (plaintiff or defendant)? Is the case still pending?]:

- C. Have you filed any lawsuit or appeal in any federal district court or appeals court which has been dismissed?

Yes ☐ No ☒

If your answer to the preceding question is yes, state the court(s) which dismissed the case, the civil action number(s), and the reason for dismissal (e.g., frivolity, malice, failure to state a claim, defendants immune from relief sought, etc.).

II. A. Name of institution and address of current place of confinement:

Iberia parish Jail 3618 Broken Arrow Rd - New Iberia - LA 70560.

- B. Is there a prison grievance procedure in this institution?

Yes ☒ No ☐

1. Did you file an administrative grievance based upon the same facts which form the basis of this lawsuit?

Yes ☒ No ☐

If Yes, what is the Administrative Remedy Procedure number? None

2. If you did not file an administrative grievance, explain why you have not done so.

3. If you filed an administrative grievance, answer the following question.

What specific steps of the prison procedure did you take and what was the result? (For example, for state prisoners in the custody of the Department of Public Safety and Corrections: did you appeal any adverse decision through to Step 3 of the administrative grievance procedure by appealing to the Secretary of the Louisiana Department of Public Safety and Corrections? For federal prisoners: did you appeal any adverse decision from the warden to the Regional Director for the Federal Bureau of Prisons, or did you make a claim under the Federal Tort Claims Act?)

Know Action was Taken Towards This
Matter.

Attach a copy of each prison response and/or decision rendered in the administrative proceeding.

III. Parties to Current Lawsuit:

A. Name of Plaintiff Ruffin Stokes

Address 3618 Broken Arrow rd-newiberia LA 70560.

B. Defendant, Mr, BoFill Duhe, is employed as

District Attorney at 16th District Court's Iberia
Parish- 300 Iberia St, newiberia LA 70560.

Defendant, Mr, Phillip Haney, is employed as

District Attorney at 16th District Court's Iberia
Parish- 300 Iberia St, newiberia LA 70560.

Defendant, Sheriff Louis Ackal, is employed as

Sheriff at 300 Iberia St-16th District Court's
Suite 120- newiberia LA- 70560.

Additional defendants Warden, Frank Ellis- 3618 Broken Arrow rd,
newiberia, LA 70560.

Ms. Officer Evelyn Bashay- 3618 Broken Arrow rd,
newiberia LA- 70560.

IV. Statement of Claim

State the FACTS of your case. Specifically describe the involvement and actions of each named defendant. Include the names of all persons involved in the incident(s) or condition(s) giving rise to this lawsuit, and the dates upon which and the places where the incident(s) and/or condition(s) occurred. **YOU ARE REQUIRED TO SET FORTH ONLY FACTUAL ALLEGATIONS. YOU ARE NOT REQUIRED TO SET FORTH LEGAL THEORIES OR ARGUMENTS.**

Upon my Situation at Iberia Parish Jail- I am
Incarcerated for Allegedly Armed robbery And
Ive Been here for EXactly (25) month's with
out An Adequate Trial- however The District
Attorney in charge Mr, J, Phil Haney-
And The one over my case is Mr, M, BoFill Duhe
Ive written them complaints on this matter
Because They Are in A Judicial position And
responsible for Any Thing within The court of

Statement of Claim.

procedure's Against me But They refuse To do Any Thing
 About This matter And respond back- The victim
 mother started working over here whom is in my
 Area She Stated on the ~~1st 17th 109~~ ~~1st 17th 109~~ - When I was In the
 Canteen line That I will be getting some time soon
 And That she will make certain That my time in
 This Jail be real hard And that I'll suffer And
 That she will get inmates To jump on me. I wrote
 And pleaded with The Sheriff And both District
 Attorneys To remove This woman ms, Evelyn Bashay
 from This Jail ~~because I am afraid for~~ Because I am Affraid for
 my life- she has Also informed me That she will
 have The property room officer ms, → Romero, And
 Also- ms, → Brown, To hold my legal mail And tamper
 with it- And I havent been receiving my mail, District
 Attorney mr, Bofill Duhe, is Intending To make plain
 Tiff- Suffer Emotional Distress which is his intentio
 n's- because I refuse To except certain harsh plea bargai
 n's- To The charge's That I am facing, I've been incar
 cerated, Since- December 26 2006, without an Adequate Trial
 I've Also filed certain preliminary motions That they
 refuse To hear- The State has A (2) year Statute of
 limitations To file prosecution Against Defendant And
 I've been Incarcerated nearly (25) months This is illegal
 procedure's To hold a person In Jail This long for An
 Extended period of Time And There isint Any
 reason As To why I shouldnt have went To Trial
 because This is A small Court;

Statement of Claim

And A Small environment And is^{nt} Important enough or Dangerous enough To where They Should Keep Setting my Trial back And this has been The 8th Time They refuse me a trial- mr, Bofill Duhe And 'mr, phillip Haney' is responsible for such malicious and harassive situations in this Jail, And The Court's, because They are Abuseing There Authority Against me, And victim's mother should be know where Around me, All other Authority over This Jail will, And should, be held responsible because All Above And Subordinate Authority falls under chain of command, And plaintiff contacted Sheriff, warden, And District Attorney's About This matter but They refuse to respond plaintiff also request's That his Situation with The Court System Be Investigated AS well AS other Individual's file's To prove The offense That is being committ ed- Against plaintiff- plaintiff has also filed A 'TRO' on This behalf.

Filed on The 8-10-09

Signature of plaintiff Ruffin Stokes

V. Relief

State exactly what you want the court to provide to you or do for you. Make no legal arguments. Cite no cases or statutes.

SEEKING TO recieve The relief That will Suit
THE public.

VI. Plaintiff's Declaration

- A. I declare under penalty of perjury that all of the facts represented in this complaint and any attachments hereto is true and correct.
- B. I understand that if I am transferred or released, I must apprise the Court of my address, and my failure to do so may result in this complaint being dismissed.
- C. I understand that I may not proceed without prepayment of costs if I have filed three lawsuits and/or appeals that were dismissed on grounds that the action and/or appeal was frivolous or malicious, or failed to state a claim upon which relief may be granted, unless I am in imminent danger of serious physical injury.

Signed this 10 day of August, 2009.

Prisoner no. (Louisiana Department of
Corrections or Federal Bureau of Prisons)

Ruffin Stokes
Signature of Plaintiff

Complaint

To-Sheriff-Mr. ACKAL.
from-Ruffin Stokes.
reason-being harassed.

Mr. ACKAL,

I am writing you pertaining to my situation in this jail with ms. Evelyn Bashay-~~MAN~~ the victim's mother whom I am incarcerated for- for supposedly robbing- she continues to tell me that I will suffer and pay for what I did and that I can file what I want, and that she will make sure she put a hold on all my mail upfront, it is not right to have this woman working amongst me in this jail area period because her only intention is to harass me, I fear for my life because she has threatened to have inmates jump on me. This officer needs to be moved away from this jail please investigate this situation.

Signed Ruffin Stokes

filed 11/3/08

Complaint

To, Mr. Phillip Haney, District Attorney.
From, Ruffin Stokes
Reason, being harassed

Mr. Haney, you are over my case
And I am bringing this to your attention because
it is in your authority to secure and prevent
such acts. Surely you are aware of Ms. Evelyn
Bashay - having a job here in this jail and
that's unconstitutional for her to be working here
around me because her only intention is to harass
me which she has been telling me that I will get
time and that I can file anything I want and
that she will have the people upfront keep all my mail
and that she promise to make me pay for what
I supposedly did. I have wrote you before about
this matter but no action was taken and
you never responded, please look into this matter
and have this woman investigated and removed
from this jail because my life is in danger
amongst this women authority.

Signed Ruffin Stokes

Filed 11/3/08

To, Mr. Phillip Haney, District Attorney
From, Ruffin Stokes
Reason, being harassed

Mr. Haney

I've written you two complaints
one toward's the victim's mother
And one toward's Assistant District
Attorney Mr. Bofil Duke - Mr. Duke knows
that Ms. Bashay - is the victim's mother
And he is using her to harass me
I've also filed a motion to a preliminary
examination that I never been to, and
a bond reduction both were denied,
and a 701 that was never heard - I am also
a first offender and I've been incarcerated
for 25 months and I haven't been to
trial in all this time I guess Mr. Duke
is abusing his authority against me because
I didn't want to except the plea that
he was trying to ~~offer~~ ^{offer} me from 10 to 20
years this is not right to set in jail all
this time for nearly (3) years without a
trial just because I don't want to except
a plea, Louisiana Code of Criminal Procedures
under 701 and 702 states that a defendant has a
120 day period to be taken to trial if they
or incarcerated. please investigate this matter
Signed Ruffin Stokes Filed 11/3/08

Mr. Ruffin Stokes - Ke-
3618 Broken Arrow Rd
New Iberia, LA-70560.
Iberia Parish, LA.

LAFAYETTE LA 705
Egal, 11/11/09 PM 11 T



71101+3083

Clerk. U.S. District
Court - Western District
U.S. Courthouse
300-Fannin-St - Suite 1167
Shreveport - LA-71101-3083

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